| 1 2 | JAMES T. WINKLER, ESQ., Bar # 6536 MATTHEW T. CECIL, ESQ., Bar # 9525 LITTLER MENDELSON, P.C. | |
|---|---|--|
| 3 | 3960 Howard Hughes Parkway Suite 300 | |
| | Las Vegas, NV 89169-5937 | |
| 4 | Telephone: 702.862.8800 Fax No.: 702.862.8811 | |
| 5 | Attorneys for Plaintiff | |
| 6 7 | ACCUDUCT MANUFACTURING, INC. | |
| 8 | LIMITED STATES DISTRICT COLIDT | |
| 9 | UNITED STATES DISTRICT COURT | |
| | DISTRICT OF NEVADA | |
| 10 | A COLIDITOT MANUFACTURING INC. | C N- 2.15 01070 ADC CWIII |
| 11 | ACCUDUCT MANUFACTURING, INC., | Case No. 2:15-cv-01878-APG-CWH |
| 12 | Plaintiff, | |
| 13 | VS. | STIPULATION AND ORDER TO DISMISS COMPLAINT WITHOUT PREJUDICE |
| 14 | INTERNATIONAL ASSOCIATION OF SHEET METAL, AIR, RAIL AND | AND TO VACATE HEARING SET FOR OCTOBER 2, 2015 at 2:00 P.M. |
| 15 | TRANSPORTATION WORKERS LOCAL UNION NUMBER 88, | |
| 16 17 | Defendant. | |
| 18 | Defendant, INTERNATIONAL ASSOCIATION OF SHEET METAL, AIR, RAIL AND | |
| 19 | TRANSPORTATION WORKERS LOCAL UNION NUMBER 88 and Plaintiff, ACCUDUCT | |
| 20 | MANUFACTURING, INC., by and through their respective counsel of record, hereby stipulate to | |
| 21 | dismiss without prejudice the Verified Complaint for a Preliminary Injunction to Stay Arbitration | |
| 22 | Proceedings, and a Declaratory Judgment and to vacate the hearing on the Emergency Motion for | |
| 23 | Temporary Restraining Order set for October 2, 2015 at 2:00 p.m. | |
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| 25 | /// | |
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| LITTLER MENDELSON, P.C ATTORNEYS AT Law 3960 Howard Hughes Parkway Suite 300 Las Vegas, NV 89169-5937 702.862.8800 | | |

Case 2:15-cv-01878-APG-CWH Document 15 Filed 10/02/15 Page 2 of 2

| 1 | Each party shall bear its own costs and fees | for the claims dismissed by this Stipulation and Order. |
|----------|--|---|
| 2 | Dated: October 2, 2015 | Dated: October 2, 2015 |
| 3 | Respectfully submitted, | Respectfully submitted, |
| 4 | | |
| 5 | /s/ Richard G. McCracken | /s/ James T. Winkler |
| 6 | RICHARD G. MCCRACKEN, ESQ. ANDREW J. KAHN, ESQ. | JAMES T. WINKLER, ESQ. MATTHEW T. CECIL, ESQ. LITTLER MENDELSON, R.C. |
| 7 | MCCRACKEN, STEMERMAN & HOLSEBERRY | LITTLER MENDELSON, P.C. |
| 8 | | Attorneys for Plaintiff ACCUDUCT MANUFACTURING, INC. |
| 9 | Attorneys for Defendant INTERNATIONAL ASSOCIATION OF | |
| 10 | SHEET METAL, AIR, RAIL AND TRANSPORTATION WORKERS | |
| 11 | LOCAL UNION NUMBER 88 | |
| 12 | | |
| 13 | | ORDER |
| 14 | | IT IS SO ORDERED. |
| 15 | | Dated:October 2, 2015. |
| 16 17 | | |
| 18 | | al |
| 19 | | UNITED STATES DISTRICT COURT JUDGE |
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| 22 | Firmwide:136201714.1 086075.1001 | |
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| SON, P.O | | 2. |

LITTLER MENDELSON, P.O. ATTORNEYS AT LAW 3960 Howard Hughes Parkway Suite 300 Las Vegas, NV 89169-5937 702.862.8800